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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,968	07/08/2003	David M. Bashant	END920000147US2	8800

45092 7590 02/23/2007
HOFFMAN, WARNICK & D'ALESSANDRO LLC
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EXAMINER

ORTIZ, BELIX M

ART UNIT	PAPER NUMBER
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2164

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/614,968	BASHANT ET AL.	
	Examiner	Art Unit	
	Belix M. Ortiz	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 December 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-10 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications files on 4-December-2006. Therefore, claims 1-10 are presently pending in the application.
2. In view of the Pre-Brief Appeal brief filed on December 4, 2006, PROSECUTION IS HEREBY REOPENED. A new ground of rejection *is* set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of div application: 10/25/2000) as being unpatentable over West et al. (U.S. patent 6,446,176) (Eff. Filing date of application: 3/9/2000) in view of Cina, Jr. (U.S. patent 4,930,073) (Eff. Filing date of cont. application: 6/26/1987).

As to claim 1, West et al. teaches a system having a table of keys for synchronizing related data elements between a first and second storage system (see abstract; fig 1, characters 106 and 108), each key comprising:

a universal identifier corresponding to a data element in the first and second storage system (see fig. 3 and col. 6, lines 46-56);

a first record identifier corresponding to the data element in the first storage system (see fig. 3, characters 316 and 318 and col. 7, lines 51-61); and

a second record identifier corresponding to the data element stored in the second storage system, wherein the universal identifier, the first record identifier and the second record identifier are used to synchronize the data element between the first and second storage system (see abstract; fig. 3, characters 320 and 322; col. 5, lines 59-67; col. 7, lines 3-23 and col. 7, lines 51-61).

West et al. does not teach wherein the table of key is separate from the first storage system and the second storage system.

Cina, Jr. teaches method to prevent use of incorrect program version in a computer system (see abstract), in which he teaches wherein the table of key is separate from the first storage system and the second storage system (see abstract and figure 1, character 15).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified West et al. by the teaching of Cina, Jr., because wherein the table of key is separate from the first storage system and the second storage system, would enable the system because, "a synchronization key is contained in a load module and is used to encrypt that load module which also contains a protected program. The encrypted load module with the protected program and synchronization key therein is stored in auxiliary storage. The synchronization key and program name are then placed in a table in a secure memory", (see abstract).

As to claims 2-4, West et al. as modified teaches wherein each key further comprises a data element type name or system name (see Cina, Jr., abstract; fig. 1, character 15; fig. 3, character C4; col. 2, lines 44-46).

As to claim 5, West et al. as modified teaches wherein each key further comprises storage system information corresponding to storage of the data element in a particular storage system (see Cina, Jr., fig. 1, character 15).

As to claim 6, West et al. as modified teaches the claimed invention of table interface and updating the keys (see Cina, Jr., col. 5, lines 11-17).

As to claim 7, West et al. as modified teaches wherein the table interface includes: an identifier matching system for cross-referencing record identifiers and universal identifier (see Cina, Jr., abstract; col. 1, lines 8-12; and col. 2, lines 56-58); and a table update system is described in (see Cina, Jr., col. 5, lines 11-17).

As to claim 8, West et al. as modified teaches the claimed invention of accessing information from particular storage as shown in (see West et al., fig 5A, element 508).

As to claim 9, West et al. as modified teaches wherein the first storage system is designed to store first data related to the data element, and wherein the first storage system is designed to store second data related to the data element, and wherein the first data is designed to be different from the second data (see West et al., fig 3).

As to claim 10, West et al. as modified wherein the first and second storage system do not separately maintain information for synchronizing the first and second storages system with each other (see West et al., figures 3 and 4).

Conclusion

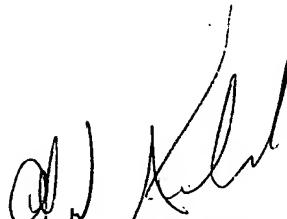
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on moday-friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bmo

February 20, 2007



ALFORD KINDRED
PRIMARY EXAMINER